IN RE: PETITION FOR VARIANCE NW/S of Harford Road, 2900' E centerline of New Cut Road 11th Election District 6th Councilmanic District (12828 Harford Road) Diana W. McCann Petitioner	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-161-SPH

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Diana McCann. The special hearing request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing structure (frame barn and garage) to be located in the front yard of a proposed lot #2 of a pending minor subdivision in lieu of the required rear yard.

The property was posted with Notice of Hearing on October 28, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 28, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances.***

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner

11/24/03

as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request was Diana McCann, the Petitioner and Ronald Kearney, the engineer who prepared the plan. There were no protestants or others in attendance. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that proposed lot #2, which is the subject of this variance request, consists of approximately 12.721 acres, more or less, and is zoned R.C.2. Testimony indicated that the property is on the top of a hill and separated from adjoining properties in all directions by at least 100 feet of woods. Ms. McCann indicated that she wished to build a new home on lot #2 so that her family could occupy the existing home on proposed lot #1. The property is not served by public water and sewer and so the new home must have appropriate septic reserve area and separation from the well. Mr. Kearney indicated that finding a location that would perc had been difficult and the proposed location of the home was severely restricted thereby. He further indicated that he could not locate the home so as to have the barn/garage in the back yard as required by the B.C.Z.R. because of a very steep slope toward the Harford Road portion of the property. No feasible location of the proposed home would solve the problem of having the barn/garage located in the front yard. Finally, Ms. McCann indicated that the existing barn/garage was in good shape and that it would be a hardship and

practical financial difficulty for her to raze it and replace it with another in the rear yard of the proposed home.

Findings of fact and conclusions of law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations is being requested. Furthermore, I find that the requested variance can be granted in strict harmony with the spirit and intent of the regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 24 day of November, 2003, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing structure (frame barn and garage) to be located in the front yard of a proposed lot #2 of a pending minor subdivision in lieu of the required rear yard, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

11/24/03 G. Jameson

JVM:raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

November 24, 2003

Ms. Diana W. McCann
12828 Harford Road
Hydes, Maryland 21082

Re: Petition for Variance
Case No. 04-161-A
Property: 12828 Harford Road

Dear Ms. McCann:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits & Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Ronald Kearney
K.L.S. Consultants, Inc.
4401 Philadelphia Road
Bel Air, MD 21015

F. Lood

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12828 Harford Road

which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to permit an existing structure (frame barn & garage) to be located in the front yard of a proposed lot #2 of a pending minor sub # 04-131-M in lieu of the required rear yard

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

to be presented at the hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

11/24/03 R. Gruber

Legal Owner(s):

Diana W. McCann
Name - Type or Print

Diana W. McCann
Signature

Name - Type or Print

Signature

12828 Harford Road 410-592-9203
Address Telephone No.

Hydes, Maryland 21082
City State Zip Code

Representative to be Contacted:

Ronald Kearney K.L.S. Consultants, Inc.
Name

4401 Philadelphia Road 410-989-0445
Address Telephone No.

Bel Air, Maryland 21015
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 04-161-A

Reviewed By BK **Date** 9/30/03

REV 9/15/98

ZONING DESCRIPTION
PROPOSED LOTS 1 & 2

Beginning at a point in the center of Harford Road, Md. Route 147, at a distance of 2900 feet East of the centerline of nearest intersecting road, New Cut Road. As recorded in Liber O.T.G. No. 5274 page 728 and described as follows, South 51 degrees 12 minutes 45 seconds West 348.53 feet, North 38 degrees 47 minutes 46 seconds West 239.54 feet, South 75 degrees 40 minutes 15 seconds West 132.04 feet, North 01 degrees 29 minutes 02 seconds East 204.54 feet, North 71 degrees 01 minutes 13 seconds West 131.09 feet, South 88 degrees 28 minutes 18 seconds West 20.00 feet, North 17 degrees 00 minutes 25 seconds East 228.73 feet, North 03 degrees 52 minutes 10 seconds West 631.33 feet, North 64 degrees 37 minutes 59 seconds East 470.26 feet, and South 10 degrees 58 minutes 40 seconds East 1255.57 feet, to the place of beginning. Containing 14.88 acres of land more or less.

#161

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 28156

DATE 9/30/03 ACCOUNT 1001-006-6150

AMOUNT $ 65.00

RECEIVED FROM KLS Engineering Corporation, Inc.

FOR Zoning Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 161

DATE RECEIPT PAID RECEIPT

BUSINESS	ACTIVITY	TIME	REG
040/2003	9/30/2003	14:37:06	2

REF 1804 WALKER MOL MND
>RECEIPT # 24236 9/30/2003 OFLR
RECT 5 520 ZONING VERIFICATION
LN NO. 03255
RECPT TOT $65.00
CHECK $ .00 CA
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by *authority of the Zoning Act* and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-161-A
12828 Harford Road
N/west side Harford Road, 2900 east centerline New Cut Road
11th Election District
6th Councilmanic District
Legal Owner(s): Diana W. McCann

Variance: to permit an existing structure to be located in the front yard of a proposed Lot #2 of a pending minor sub #00-131-M in lieu of the required rear yard.

Hearing: Wednesday, November 12, 2003 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/10/810 Oct. 28 C634261

CERTIFICATE OF PUBLICATION

10/28/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/28/, 2003.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: BECKY HART

Date: October 28, 2003

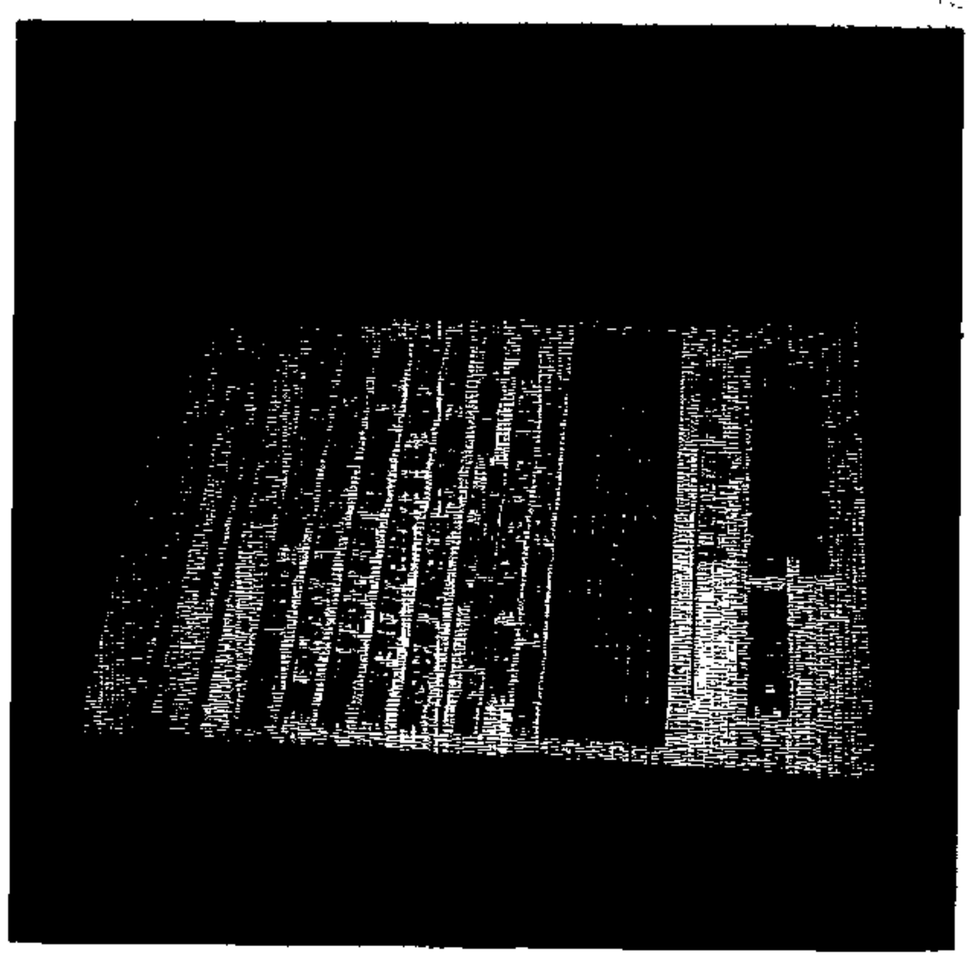
RE: Case Number 04-161-A

Petitioner/Developer: DANA MCCANN/RONALD KEARNY - K.L.S. CONSULTANTS ETAL.

Date of Hearing/Closing: NOVEMBER 12, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 12828 HARFORD RD.

The sign(s) were posted on October 28, 2003
(Month, Day, Year)



12828 HARFORD ROAD

Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 20, 2003

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-161-A
12828 Harford Road
N/west side Harford Road, 2900 east centerline New Cut Road
11th Election District – 6th Councilmanic District
Legal Owner: Diana W. McCann

Variance to permit an existing structure to be located in the front yard of a proposed Lot #2 of a pending minor sub #00-131-M in lieu of the required rear yard.

Hearings: Wednesday, November 12, 2003 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Timothy Kotroco
Director

TK:rlh

C: Diana W. McCann, 12828 Harford Road, Hydes 21082
Ronald Kearny, K.L.S. Consultants, 4401 Philadelphia Road, Bel Air 21015

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY .TUESDAY, OCTOBER 28, 2003**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 28, 2003 Issue - Jeffersonian

Please forward billing to:
Diana W. McCann
12828 Harford Road
Hydes, MD 21082

410-592-9203

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-161-A
12828 Harford Road
N/west side Harford Road, 2900 east centerline New Cut Road
11th Election District – 6th Councilmanic District
Legal Owner: Diana W. McCann

Variance to permit an existing structure to be located in the front yard of a proposed Lot #2 of a pending minor sub #00-131-M in lieu of the required rear yard.

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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 04-161-A

Petitioner: DIANA W. McCANN

Address or Location: 12828 HARFORD RD. HYDES, MD. 21082

PLEASE FORWARD ADVERTISING BILL TO:

Name: DIANA W. McCANN

Address: 12828 HARFORD RD. HYDES, MD 21082

Telephone Number: 410-592-9203

Revised 2/20/98 - SCJ

Department of Permits and Development Management

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 7, 2003

Diana McCann
12828 Harford Road
Hydes, Maryland 21082

Dear Ms. McCann:

RE: Case Number: 04-161-A, 12828 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 30, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Ronald Kearney, 4401 Philadelphia Road, Bel Air 21015

Printed on Recycled Paper

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 14, 2003

Item No.: 151-169 161

Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.14.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 161 BTR

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/~~US~~ 147.
are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

Fig 11/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 20, 2003

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case 04-152 and 04-161**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A Cunningham

Section Chief: Lyn Lanham

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 26, 2003

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 20, 2003
Item Nos. 151, 152, 153, 154, 156,
157, 158,159, 160, 161, 162, 163, 164,
167, and 168

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

ZAC-10-20-2003-NO COMMENT ITEMS 151-169-11122003

RE: PETITION FOR VARIANCE 12828 Harford Road; NW/side Harford Rd, 2900' E c/line New Cut Road 11th Election & 6th Councilmanic Districts Legal Owner(s): Diana W. McCann Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-161-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
OCT 21 2003
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2003, a copy of the foregoing Entry of Appearance was mailed to, Ronald Kearney, K.L.S. Consultants, Inc, 4401 Philadelphia Road, Bel Air, MD 21015, Representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 12828 Harford Rd
CASE NUMBER 04-161-A
DATE 11/12/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
RONALD M. KEARNEY	4401 OLD PHILA. RD.	BEL AIR, MD. 21015	
DIANA McCOOU	12828 HARFORD RD	HYDES MD 21082	

Plat to accompany Petition for Zoning [X] Variance [ ] Special Exception

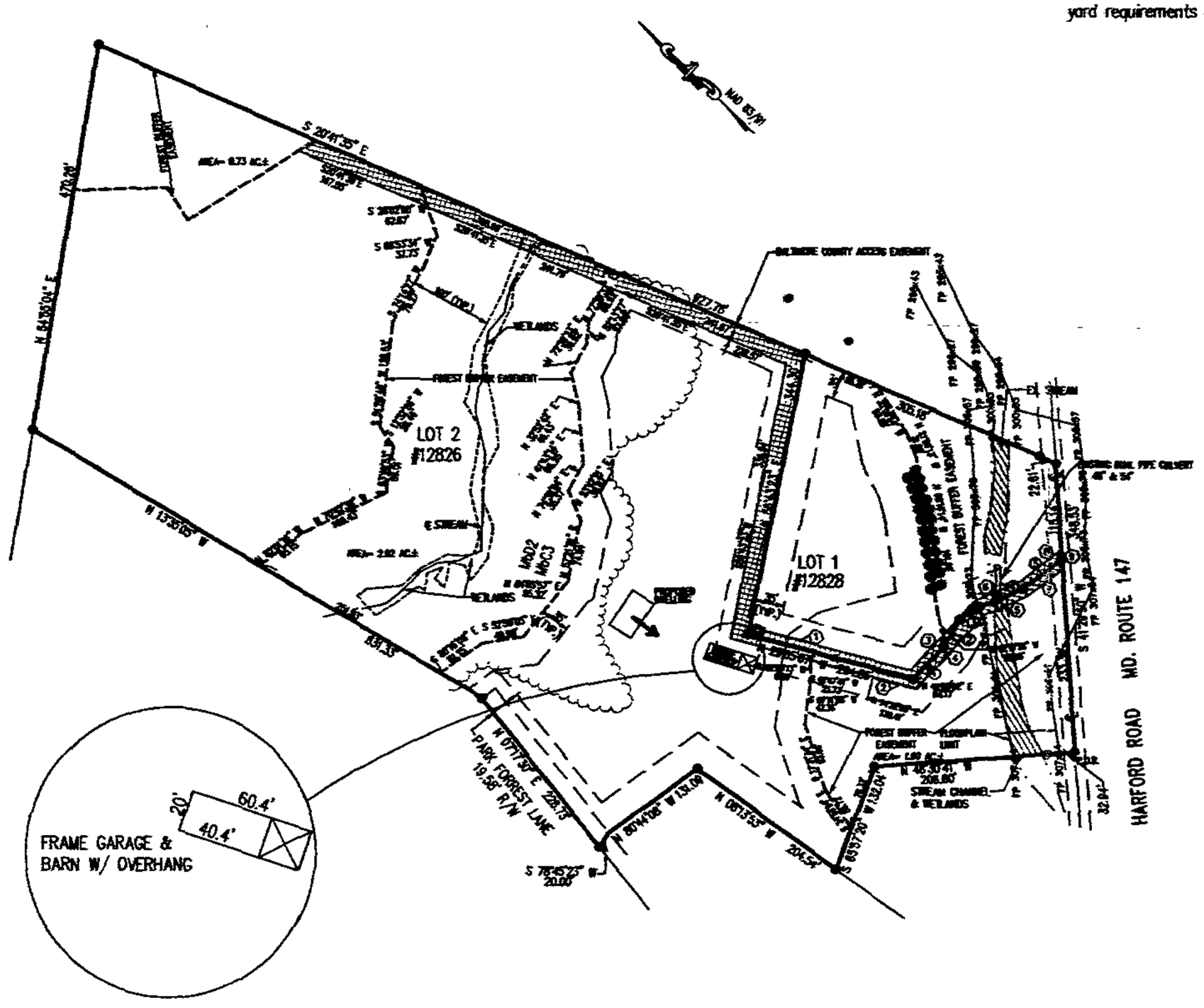
PROPERTY ADDRESS: 12828 Harford Road

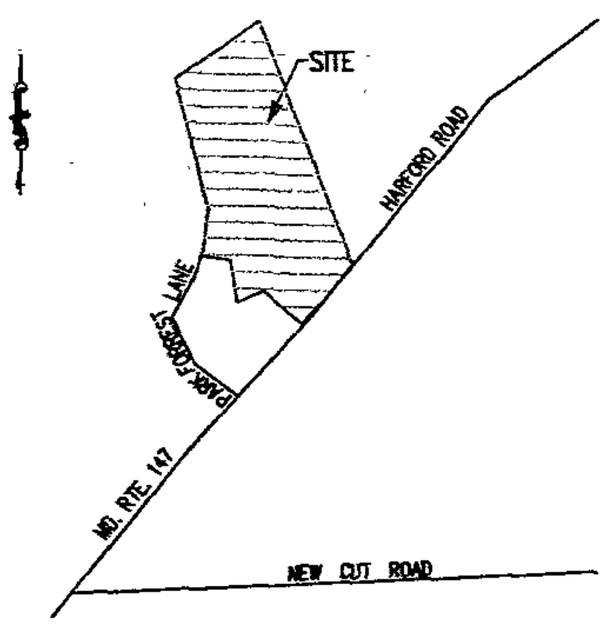
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: N/A
deed reference # 5274/728

OWNER: Diana W. McCann

Note: Variance to permit an existing accessory structure building (frame barn & garage) in front yard of proposed lot 2, Land of Diana W. McCann, in lieu of the rear yard requirements as stated in BCZR 400.1





North

Vicinity Map
scale: 1" = 2000'

LOCATION INFORMATION

Counclimanic District: 6
Election District: 11
1" = 200' scale map#: 17 I NE
Zoning: RC-2

Lot size: 12.721 acreage / 554113 square feet (PROPOSED LOT 2)

TOTAL ACREAGE: 14.88 AC±

	Public	Private
Sewer	[ ]	[X]
Water	[ ]	[X]

	yes	no
Cheapeake Bay Critical Area:	[ ]	[X]
100 Year Floodplain	[X]	[ ]
Historic Property/ Building	[ ]	[X]

Prior Zoning Hearings: 01-454-SPH

Petit #1

STATE OF MARYLAND
LOWELL MAURICE KEARNEY
No. 21
REGISTERED
PROPERTY LINE SURVEYOR

NOTE:
PART OF LOT 1 & LOT 2 IS IN THE 100 YEAR RIVERINE FLOOD PLAIN.
FLOOD PLAIN ISSUES HAVE BEEN RESOLVED.
(MINOR SUB. 00-131-M)

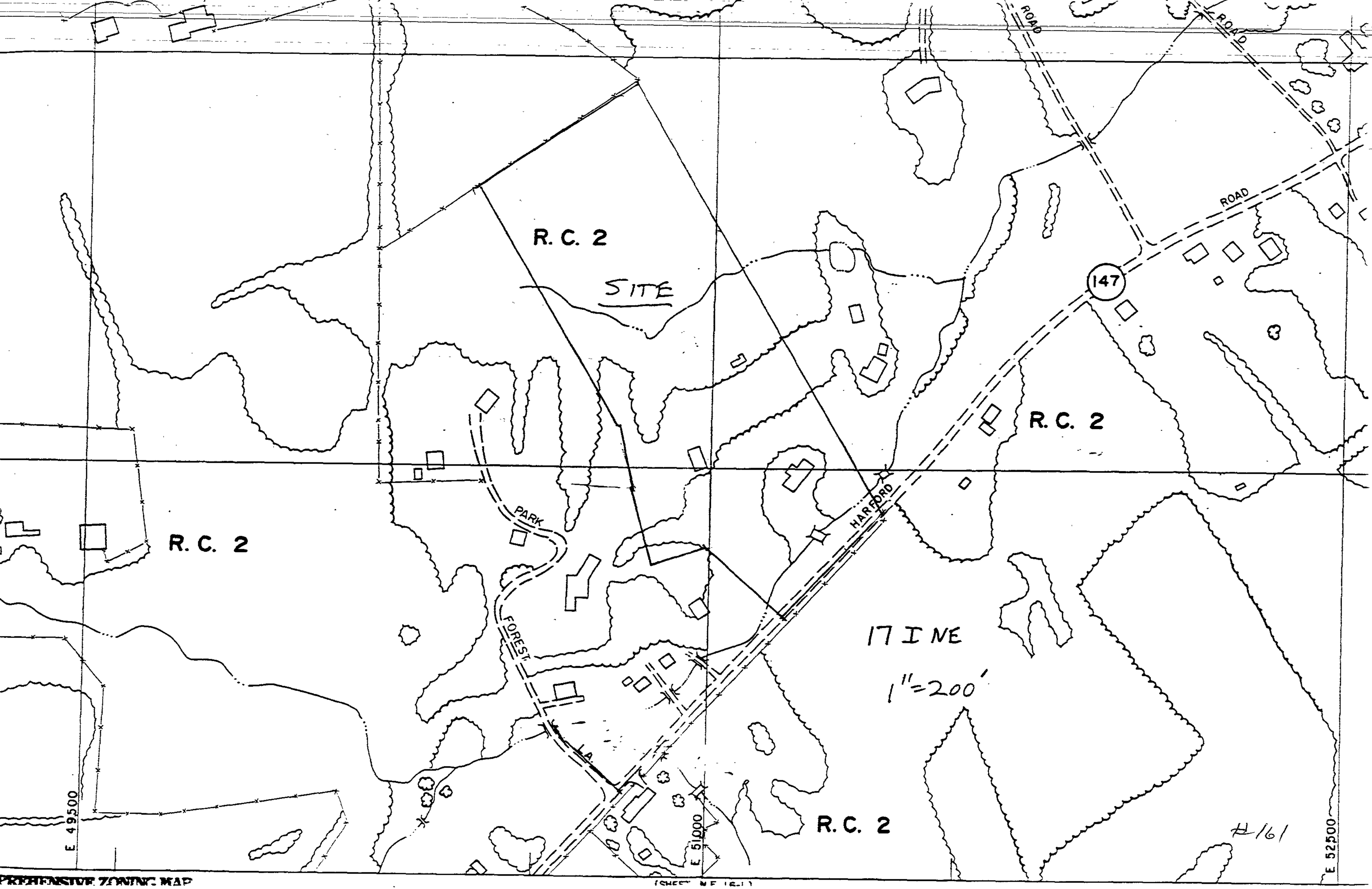
North

date: 9/18/03
prepared by: J. Campbell

Scale of Drawing: 1"=200'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
BR	161	04-161-A



PREHENSIVE ZONING MAP

(SHEET NE 16-1)

SOIL CHART

Cu	Codorus Silt Loam	0.49/Hydric
MbC3	Manor Loam	0.37
MbD2	Manor Loam	0.37
GnB		0.32
GcB2		0.32

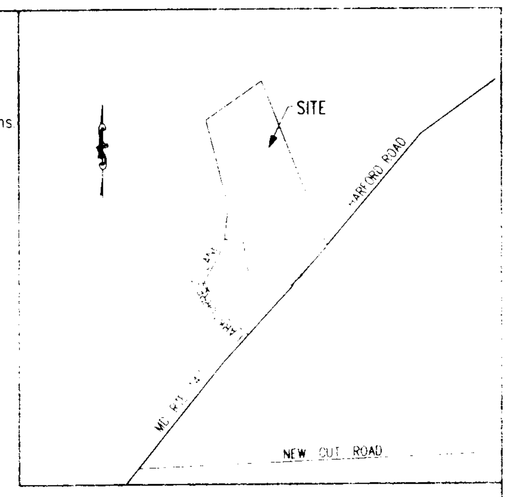
ACCESS EASEMENT TABLE

LINE	DIRECTION	DISTANCE
1	S 29°05'07" E	198.71'
2	N 29°05'07" W	230.33'
3	N 87°44'26" E	113.52'
4	S 87°44'26" W	121.48'
5	N 67°47'31" W	55.16'
6	S 67°47'31" E	57.03'
7	N 81°50'54" W	53.71'
8	S 81°50'54" E	64.41'
9	S 41°29'50" W	23.94'

LOT LINE TABLE

LINE	DIRECTION	DISTANCE
[illegible]	[illegible] 87°44'26" E	53.26'
[illegible]	[illegible]°33'06" W	38.00'
[illegible]	[illegible]	24.01'
4	[illegible]°47'31"	60.37'
[illegible]	[illegible]°50'54" E	59.06'

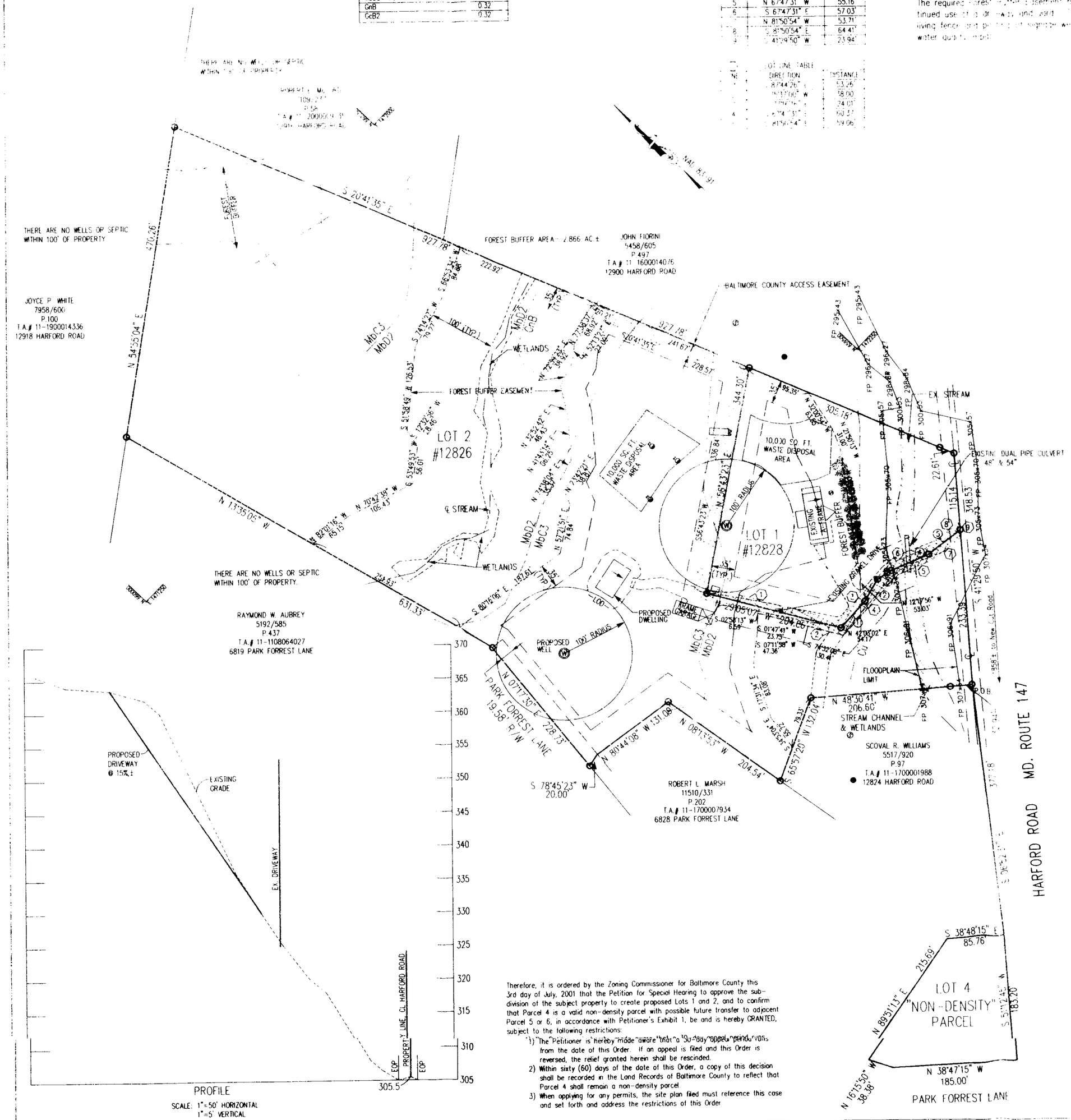
On December 4, 2[illegible] a variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. The required Forest Buffer Easement has been reduced to allow for continued use of a driveway and yard. Conditions including planting of a living fence and [illegible] signage were placed on the variance to reduce water quality impacts.



VICINITY MAP

SCALE: 1" = 1200'

TAX MAP 54 PARCEL 62



Therefore, it is ordered by the Zoning Commissioner for Baltimore County this 3rd day of July, 2001 that the Petition for Special Hearing to approve the subdivision of the subject property to create proposed Lots 1 and 2, and to confirm that Parcel 4 is a valid non-density parcel with possible future transfer to adjacent Parcel 5 or 6, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioner is hereby made aware that a 30-day appeal period runs from the date of this Order. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2) Within sixty (60) days of the date of this Order, a copy of this decision shall be recorded in the Land Records of Baltimore County to reflect that Parcel 4 shall remain a non-density parcel.
3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

Density Calculations

Gross Ac.±: 648378.90 Sq. Ft. = 14.885 Ac.

Lots Allowed: 2

Lots Proposed: 2

Zoned: RC 2

Lot 1: 94265.17 Sq.Ft.± = 2.164 Ac.±

Lot 2: 554113.73 Sq.Ft.± = 12.721 Ac.±

Lot 4: 29065 Sq.Ft.± = 0.67 Ac.±

Limit of Disturbance: 4800 Sq.Ft.± = 0.110 Ac.±

Tax Map: 54

Grid: 6

Parcel: 62

Subsewershed: NS

200 Scale Ref.#: 17 I NE

Watershed: Little Gunpowder

Census Tract: 4111.01

Regional Planning District: 310

School District: Kingsville ES
Perry Hall MS
Perry Hall HS

Deed Reference: 5274/728

Tax Account No.: 1118072075

Maximum building height is 35 feet.

Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.

Denotes the area designated for Baltimore County Access Easement to Forest Buffer

House down spouts are to be discharged into pervious areas or into dry wells, where feasible.

All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetlands, storm drain or adjacent property.

There are no hazardous materials or endangered species on or within 100' of property.

This property as shown on the plan has been held intact since June 1979. The developer's engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwelling.

There will be no further subdivision of these lots.

The site lines shown shall remain free of any obstructions at all times.

The proposed private driveway entrances shall conform with Baltimore County Standard Detail Plate R-15, dated 1977, for "Typical Driveway Entrances from Road without Curb and Gutter".

Disturbance of the 100' flood plain or any non-tidal wetlands are prohibited

There are no existing underground storage tanks on property or within 100' of property.

Subject to Special Hearing case No. 01-454-SPH dated July 3, 2001

There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.

"I HEREBY CERTIFY THAT I REVIEWED WITH DUE DILIGENCE THE AGENCIES COMMENTS DATED 2/25/03 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCIES COMMENTS."

"THE PROPERTY OWNERS SHALL HOLD FREE AND HARMLESS BALTIMORE COUNTY GOVERNMENT FROM ANY AND ALL DAMAGE THAT MAY RESULT FROM ITS USE OF THE 20 FOOT WIDE ACCESS EASEMENT TO THE FOREST BUFFER EASEMENT."

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 00-131-M

DEVELOPMENT REGULATIONS
☐ EXEMPT FROM DIVISION 2
☐ PANHANDLE, EXEMPT FROM SECTIONS 26-202 & 26-206

PDM CERTIFICATION
☐ APPROVED ☐ DISAPPROVED
BY: _____ DATE: _____

APPROVED: DEPRM
BY: _____ DATE: _____

DATE	REVISION	BY
3/14/03	B.C. COMMENTS	J.E.C.

ENGINEER / SURVEYOR
K.L.S. CONSULTANTS, INC.
4401 PHILADELPHIA ROAD
BEL AIR, MARYLAND 21015
(410) 989-0445

OWNER / DEVELOPER
DIANA W. McCANN
12828 HARFORD ROAD
BALTIMORE, MD 21082
(410) 592-9203

DRAWN BY:	JEC	DATE:	11/9/99
DESIGNED BY:	RMK	DRAWING NO.:	7680
CHECKED BY:	RMK	SCALE:	1" = 100'
KLS JOB NUMBER:	7680	SHT.	1 OF 1

MINOR SUBDIVISION
LAND OF
DIANA W. McCANN

6TH COUNCILMATIC DISRTICT
11th ELECTION DISTRICT BALTIMORE COUNTY, MD.

Ret